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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re Applicant:

AUGUST H. BECK, III

Filed: June 18, 1999

Serial No.: 09/336,204

For: PILOTED DRILL BARREL AND  
METHOD OF USING SAME§  
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§

Art Unit: 3671

Examiner: Nathan S. Mammen

Docket No.: 063007.0010

## RESPONSE F TO OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action mailed March 24, 2004, please amend the application  
as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

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Remarks and Arguments

In the Office Action, the examiner rejected claim 23 under 35 U.S.C. § 102(b) as being anticipated by Mathieu et al (U.S. Patent No. 4,526,242). In addition, the examiner objected to claims 24 and 25 as being dependent upon rejected claim 23.

Applicant respectfully submits amended claim 24 rewritten in independent form per the examiner's suggestion. Claims 24 and 25 are no longer dependent upon a rejected claim and should now be allowable.

In addition, claim 23 is cancelled and claim 42 is added. New claim 42 avoids the Mathieu '242 prior art by reciting a barrel portion that is adapted to receive cuttings in laterally-spaced relation to the downhole hammer drill. Cuttings in Mathieu's device are collected and stored above the downhole drill, causing the overall height of the barrel to be extended. See Figs. 1 and 2. Applicant's barrel has a clear advantage over Mathieu because it is capable of receiving the cuttings while avoiding the numerous problems associated with unnecessarily increasing the overall height of the barrel.

Dependent claims 43 and 44 have been added as well.

The Commissioner is hereby authorized to withdraw the filing fee in the amount of \$70.00 for the additional claims from Deposit Account No. 01-0477.

Respectfully submitted,

  
Kirt S. O'Neill, Reg. 38,257

Date: June 1, 2004

AKIN GUMP STRAUSS HAUER & FELD LLP  
P.O. Box 12870  
San Antonio, Texas 78212  
Telephone: (210) 281-7106  
Facsimile: (210) 224-2035